

REMARKS

In view of the above amendment, applicant believes the pending application is in condition for allowance.

Claims 1, 3-7, 9-12 and 14-15 are now present in this application. Claims 1, 4 and 9 are independent.

Amendments have been made to claims 9, 11, 12, 14 and 15 and claims 8 and 13 have been canceled. Reconsideration of this application, as amended, is respectfully requested.

Drawings

Applicants thank the Examiner indicating the drawings are acceptable.

Claim Objections

The Examiner has objected to claim 12 because of an informality. In order to overcome this objection, Applicants have amended claim 12 in order to correct the deficiency pointed out by the Examiner. Reconsideration and withdrawal of this objection are respectfully requested.

Rejection Under 35 U.S.C. § 112, 2nd Paragraph

Claim 11 stands rejected under 35 U.S.C. § 112, 2nd Paragraph. This rejection is respectfully traversed.

The Examiner has set forth an instance wherein the claim language needs clarification.

In order to overcome this rejection, Applicants have amended claim 11 to correct the deficiency specifically pointed out by the Examiner. Applicants respectfully submit that the claim, as amended, particularly points out and distinctly claims the subject matter which Applicants regard as the invention. Accordingly, reconsideration and withdrawal of this rejection are respectfully requested.

Rejection Under 35 U.S.C. § 102 and 103

Claims 8 and 9 stand rejected under 35 U.S.C. § 102 as being anticipated by Lundquist et al. (US Patent no. 5,640,679). Claim 10 stands rejected under 35 U.S.C. § 103 as being unpatentable over Lundquist et al. These rejections are respectfully traversed.

Complete discussions of the Examiner's rejections are set forth in the Office Action, and are not being repeated here.

While not conceding the appropriateness of the Examiner's rejection, but merely to advance prosecution of the instant application, Applicants respectfully submit that claim 8 has been cancelled, thus rendering the portion of this rejection under 35 U.S.C. § 102(b) with respect to claim 8 moot.

With regard to the rejections of claims 9 and 10, while not conceding the appropriateness of the Examiner's rejections, but merely to advance prosecution of the instant application, Applicants respectfully submit that independent claim 9 has been amended to include the limitations of objected-to allowable claim 13, thereby automatically placing independent claim 9 into condition for allowance, along with dependent claims 10-12 and 14-15. Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. §§ 102 & 103 are respectfully requested.

Allowable Subject Matter

The Examiner states that claims 13-15 would be allowable if rewritten in independent form.

Applicants thank the Examiner for the early indication of allowable subject matter in this application. As set forth above, the limitations of objected-to claim 13 have been added into independent claim 9 and therefore independent claim 9 should be in condition for allowance. Also, claims 10-12 and 14-15 depend, either directly or indirectly, from independent claim 9, and are therefore allowable based on their dependence from claim 9 which is believed to be allowable.

Application No. 09/865,484
Amendment dated February 14, 2006
Reply to Office Action of November 14, 2005

Docket No.: 4100-0126P

Conclusion

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance.

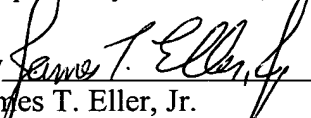
If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone James T. Eller, Jr., Registration No. 39,538, at (703) 205-8000, in the Washington, D.C. area.

Prompt and favorable consideration of this Amendment is respectfully requested.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Dated: February 14, 2006

Respectfully submitted,

By 
James T. Eller, Jr.

Registration No.: 39,538

BIRCH, STEWART, KOLASCH & BIRCH, LLP

8110 Gatehouse Road

Suite 100 East

P.O. Box 747

Falls Church, Virginia 22040-0747

(703) 205-8000

Attorney for Applicant